

East Longmeadow Planning Board
60 Center Square
East Longmeadow, Massachusetts 01028
Telephone: (413) 525-5400 - extension 1700 - Facsimile (413) 525-1656

since 1894

Michael Carabetta, chair
Ralph Page vice chair
Tyde Richards, clerk

Alessandro Meccia
George C. Kingston
robyn d. macdonald, director
rmacdonald@eastlongmeadowma.gov

June 3, 2014

Present were: Vice Chair, Alessandro Meccia; Clerk, Tyde Richards, George Kingston and Ralph Page. Michael Carabetta was not present

Acting Chair, Tyde Richards opened the meeting and said that it was being taped by ELCAT as well as the Board and asked if anyone else was taping it. Chris Mazza from the Reminder was also recording it.

Request for Waiver of Site Plan Review – P3 Auto Detailing & Car Wash, 50 Maple Street

Acting Clerk, Alessandro Meccia read a request for Waiver of Site Plan Review from Andre Yarns, Jr., P3 Auto Detailing & Car Wash to operate a retail business for the purpose of automobile detailing at 50 Maple Street. The proposed hours of operation as Monday through Sunday from 8:00 a.m. to 5:00 p.m. There will be 3 employees including the owner.

Mr. Richards addressed the Board for any questions.

Mr. Page said his only concern is if Mr. Yarns is doing some of the auto detailing outside in the parking lot that is part of parking for Napa also. He said that he wanted to make sure that the traffic flow in & out would still be accessible at all time and asked Mr. Yarns if most of the work is going to be done inside.

Andre Yarns said yes most of the work will be inside and he has been talking with the store manager Mark and he thinks they have been doing alright and he hasn't received any complaints. Mr. Yarns said right now he is parking in front of his bays because there are mounds of sand in front of the building so there hasn't been any parking and once he has parking he will be able to utilize it.

Mr. Kingston asked Mr. Yarns if he has a private water supply because in the zoning by-laws it says for car washing facilities it says "there shall be a private water supply system located on the premises. Such system shall function independently of the town water system". Mr. Meccia said that he thinks it is more detailing than anything. Ms. Macdonald said that is for a car washing facility such as the one down on North Main Street and Mr. Yarns is doing everything by hand. Mr. Kingston said that he wanted to make that clear for the record.

Upon motion duly made by George Kingston and seconded by Alessandro Meccia, the Board voted (4-0) to approve the Request for Waiver of Site Plan Review for P3 Auto Detailing & Car Wash, 50 Maple Street. If any signage is desired the applicant must submit two copies of color renderings to scale of the proposed signage for approval by the Board and obtain a sign permit from the Building Inspector.

Public Hearing Site Plan Review – Bay Path College

Acting Chair, Tyde Richards opened the public hearing for Bay Path College. Acting Clerk, Alessandro Meccia read the legal notice and correspondence into the record.

Robert Levesque, R Levesque Associates, Inc. requested a wavier of traffic study:

On behalf of our client, M.F.C systems, Inc., our office is herein requesting a waiver of the East Longmeadow Site Plan Review requirement for a traffic study with respect to the Site Plan Review recently submitted for the proposed expanded parking area.

Franklin Miorandi, Assistant Town Engineer wrote:

The post (cfs) in the current submission is slightly higher than the original approved site plan, however this latest submission is less than pre-design flow rates. The Engineer's design of the stormwater management plan was approved. DPW requires an additional plan showing the revised water tie-in on Denslow Road.

Richard Bates, Police recommended:

1. The proposed location for signs be accepted. They should not result in any visibility issues for motor vehicle operators entering or exiting the site.
2. Any signs on Denslow Road (no parking, stop ahead, intersection ahead) should be re-installed in an appropriate location.
3. One way sign be installed at the northwest entrance to the rear drop-off area to remind drivers of the traffic pattern.
4. Center line be painted on the main rear driveway to delineate between inbound and outbound traffic lanes.
5. Any crosswalk markings be consistent with existing crosswalks between inbound and outbound traffic lanes.
6. Additional stop signs and stop lines added to the most recently submitted plan be accepted.
7. The developer consider utilizing existing mature trees and adding additional trees between the proposed building and the intersection of Shaker Road and Pease Road. Vehicles occasionally continue straight west on Pease Road and into the field on the property.

The applicant submitted a revised site plan that included the removal of a sidewalk along the north side of the parking lot, the installation of additional parking spaces on the south side of the campus and a temporary gate restricting access to those parking spaces while construction is being completed.

E-mail from Richard Bates stated:

Good morning Robyn,

I have reviewed the new plans and the recommendations previously submitted to you will remain the same.

Ben Cote, Fire recommended:

The East Longmeadow fire Department will ask to have a heat detector added to the fire alarm system for the out building (maintenance shed). We will also recommend a key to the building will be supplied to the fire department to add to the knox-box.

Mr. Richards addressed the representative to explain to the Board what they would like to do.

Attorney James Martin on behalf of Bay Path College said that they are there to present some small revisions to the site plan of additional parking for approximately 40 spaces. He said at the round table there were some minor comments and they have accepted those comments particularly the fire department's comments about the heat sensor and the key.

Rob Levesque, Engineer said that they are there for the expansion of the parking area that added at the back of the property. He said that there are three curb cuts off of Denslow Road and that they have been working with Kinder Morgan for quite sometime because there are two Tennessee Gas transmission lines that runs through the property. Mr. Levesque said that the college was concerned for the potential of future parking so it made sense while they were under construction to pursue the additional parking. He said that there are about 40 spaces and a small maintenance building for the grounds people and a small curb cut off of the back of the aisle has been created. He said that they are comfortable that they have a plan that not only works for Kinder Morgan but as well as the Planning Board to provide the additional parking. Mr. Levesque said associated with that parking area there is a stormwater basin and they have kept it all off the riverfront area. He said that they did go to the Conservation Commission between their first public hearing and now and did request that the Conservation Commission allowed them to relocate the isolated vegetated wetland in the front of the property. Mr. Levesque said in addition to that there have been some minor revisions to the plans mostly associated with the building footprint. He said the point of egress changed so they upgraded that as an opportunity to enhance the landscape in front of the building and the rear of the building. Mr. Levesque said they think the landscape will end up being granite pavers and they have updated the landscaping planting around that. He said essentially what has changed is the landscape, the parking area, they have omitted a sidewalk, added a number of stops bars, signs and crosswalk enhancements. Mr. Levesque said that they did change the lighting plan in that the

lighting is more modern and more consistent with the building. Attorney Martin added that it is still on-site lighting for safety and parking they are just more modern fixtures.

Mr. Richards asked if all of the comments that have been read have been integrated into the plan. Mr. Levesque said that he believes all but the one from the DPW Department with regard to a water tie-in on site. He said that their contractor and gentleman on site have been communicating so their plan will be updated to reflect the solution that was developed in the field. Ms. Macdonald said that the gentleman on site from DPW was Roy Esposito.

Attorney Martin said some of the minor things such as the fire departments requirement for a key wouldn't be reflected on the plans but will be reflected in the decision and they will abide by those. He said everything else has been incorporated and the water was done last week.

Mr. Richards addressed the Board for any questions.

Mr. Page asked in the back where the new drainage/detention area is, is it strictly where the 40 cars are going to park. He asked if that area is for employees or students. Mr. Levesque said that it is not going to be specifically restricted but he thinks the employees will be encouraged to park there.

Mike Giampieto said that is generally true although they don't have assigned parking so it is first come first serve.

Mr. Page asked if there are any walkways from the back coming forward or are they required to walk through the parking lot. Mr. Levesque said that they are and said that it is a typical retail scenario. Mr. Page asked if the new lighting goes to that area. Mr. Levesque said absolutely. Mr. Page said if he remembers correctly there is a gate for that. Mr. Levesque said there is and they had some discussion at the round table as to whether the gate will be installed and in the end he thinks they were still coordinating that item.

Attorney Martin asked Mr. Giampieto if they reached a decision about the gate. Mr. Giampieto said no that they would be discussing it the next morning. He said Kinder Morgan in their original discussions with them was requiring that they have a gate that would be used whenever they were servicing line which is once or twice a year. Mr. Giampieto said that they wanted them to gate the area off so there would be no interference with their work and subsequent conversations with Kinder Morgan they've changed the way they that they are going to handle analyzing their lines. He said that they are actually going to move that vault area off of where it is currently and relocate it on a different part of the easement so if they don't have to deal with the gates they won't. Mr. Giampieto said that they are meeting with Kinder Morgan the next day to go over the final plans.

Mr. Levesque said that they did speak with the fire department in the event they do keep the gate and it is locked they want to make sure that there is a key provided in a knox box as well.

Mr. Page said some of the drainage goes into the existing sub surface under the back parking lot, correct. Mr. Levesque said correct and pointed it out on the plan. Mr. Page asked where they are going to put the snow. Mr. Levesque said that they are working on that and in the event of a major storm event or multiple storms there is the possibility it may need to be trucked off site legally.

Mr. Kingston asked if the basin is over the pipes. Mr. Levesque said that the basin is actually outside of the easement.

Mr. Richards addressed the audience for any questions, there being none and upon motion duly made by George Kingston and Alessandro Meccia, the Board voted unanimously (4-0) to close the public hearing. Upon motion duly made George Kingston and seconded by Ralph Page, the Board voted unanimously (4-0) to waive the traffic study. Upon motion duly made by George Kingston and seconded by Ralph Page the Board voted unanimously (4-0) to approve the changes to the site plan conditioned on the discussions regarding the snow plowing and additional comments that the Board had.

Zoning Review committee to discuss by-law proposals

Marilyn Richards of the Zoning Review Committee said that their last submittal was proposed changes to the sign by-law. Ms. Richards said that they would like to move forward as soon as they can at a future town meeting.

Ned Swartz said as they looked at the existing by-law for signs the numbering system was a little convoluted and there were some loose ends with the references and the cross references. He said that they tried to reformat the numbering system so that all the references would be logical. Mr. Swartz said that the numbers will be a little different and they used a system like the dewy decimal system and they went through it and they think they tied up all the loose ends. He said in terms of the preambles down to the temporary lawn signs. He said that he doesn't think they really made any substantial changes and said that they spent a fair amount of time talking about things such as temporary signs.

Mr. Richards said that it is a little bit difficult on the last 10% they are talking about because the first 90% has to deal with clarifying language so people can read and understand exactly what the intent is. He said the problem is from time to time is that there is a little question of what exactly is the intent. Mr. Richards asked if there are any questions in what has been submitted, whether it's some questions regarding the intent not so much clarification of the language.

Ms. Richards said what they submitted is trying to keep the text in line with what they have to make it more user friendly. She recommended that they submit the language under business district letter C under number of signs where it addresses the number of signs for a single business use and it identifies the maximum limitation of square feet for that particular action and it is 100 square feet. Ms. Richards said she had asked that they include in that section that the 100 square feet is the ground sign for the business as well. She said that the by-law is a little fuzzy if you will and it depends on how you choose to interpret it and said that she can speak historically that the zoning interpretation of that particular component of the zoning by-law has been 100 square feet per business use including the ground sign. Ms. Richards said that it has been consistent across the board that 100 square feet is the maximum square feet for a business use for signage.

Mr. Page asked if a large building for example has four businesses in it in the past was it each business had to have a 100 square feet or was the it building and all the businesses in it have a 100 square feet of signage. Ms. Richards said that the current by-law says one ground sign for that building and if you look at Stop & Shop where there is signage for each occupant she believes they

can go up to 100 square feet. She said that it has always been 100 square feet including the ground sign and she thinks if they can move forward with the language in a revision of the by-law for clarity because there really is no substantial change.

Mr. Kingston said that he knows the definition for signage is very specific and very broad but for some reason the Zoning Enforcement Officer has been ignoring banners and sandwich signs. He said now it is so cheap to have the corrugated signs made on line that they are springing up at businesses all over town. Mr. Kingston said right across from town hall there is business with two banners that were not approved and asked if they need to be more explicit about those temporary business signs somehow. He said once one business gets away with it then everybody else on Shaker Road does it and it starts looking like a market of some kind rather than a business street. Mr. Swartz said that they did discuss that and in their opinion they think those should all be included. He said that he was hoping they could come up with something town wide that could maybe create a vision for what signs would be appropriate for the historical context of the town. Mr. Swartz said that maybe some type of study or group could go out and try and come up with a plan that everyone in town agrees on.

Mr. Richards said are ground signs included in the 100 square feet or are they in addition to the 100 square feet, what's the intent when the zoning was created, that is the first question. He said because if they are talking about a ground sign of additional 50 feet they are adding a 1/3 of what the original intent was. Mr. Richards said if that wasn't the intent then they added a huge increase to something that wasn't supposed to be added.

Ms. Richards said when going through the business district it talks about location, size, number construction, illumination. She said that illumination talks about moving and flashing signs and it doesn't say anything about the ground sign. Ms. Richards said that would be applied to every sign that was in the business district and under number it talks about different areas where the business can be eligible for another sign if they front on another street or if they have another entrance they can have another sign and they talk about a directory. She said that it says in no case will the total area of all signs exceed 100 square feet and then you flip the page and it gives the specifics about a ground sign and said that it's cloudy. Mr. Richards said but the specifics of a ground sign doesn't seem to define whether that's included in the 100 square feet or in addition to the 100 square feet. Ms. Richards the area about the ground sign is more specific to the setback and side yard requirements of it's location and it is listed separately and that creates confusion. Mr. Richards said the by-law says all the signs have to be within 100 square feet and they should all be in agreement that is the way it should be defined.

Mr. Page said going forward he thinks that language added in "an aggregate of all signs shall not exceed 100 square feet" will solve any discrepancies. Mr. Richards said that it looks as though the whole Board is in agreement that the intent was supposed to be when it was written that ground signs are included in the aggregate of 100 square feet.

Ms. Richards said in Section VIII under definitions there is a definition of a sign and also the criteria for measuring a sign and she doesn't know when people pull it on the line if they always go to definitions. She said rather than repeat all that information that they could at least reference in the beginning of the by-law to also see the definitions for signs in Section VIII so that they know they are there. The Board agreed to Ms. Richards suggestion. Ms. Richards said in commercial buildings

there are going to be several tenants she said that there has never been a limit on how many signs can go on the building of a commercial building.

Mr. Page said as he mentioned he noticed some discrepancies for instance in the industrial district under A. and he read the wording and said that is pretty much in commercial, industrial, industrial garden park. He said when you go to the business district that wording isn't in there and he thinks it is something important to have. Ms. Richards said that they could very easily add it in the business district also.

Mr. Kingston said one thing that is extremely good is under business Section D it is only in the business district. He said that it does not apply to industrial or commercial and given much of the retail on Shaker Road is in industrial the limitations on construction do not apply to those retail businesses. Mr. Kingston said everything on the west side of Shaker Road as you go south from the circle just about everything is industrial and a lot of it is now retail. Ms. Richards said that the signage is driven by district not driven by use. Mr. Kingston said that was why he was saying it might make sense to make the construction part of the sign the same in industrial. He said that he doesn't see why industrial should have an exemption on how the sign is constructed that they should be allowed to paint signs on their walls when you can't do it in business but in commercial district they can paint signs on their walls because it is not restricted. He said that it is a great paragraph and if they added it to the other districts he thinks it would help strengthen it. Ms. Richards thanked Mr. Kingston for his suggestion.

Mr. Page said under commercial district subsection E plans for all attached signs shall be submitted to the Planning Board and it was exceeding 25 feet in area. He said that he thinks all signs should go through the Planning Board and thinks it's pretty much covered under signs. Mr. Richards said that they crossed that out. Mr. Page said in golf recreation district it has the same language also. Ms. Richards said that was an oversight and they will take it out.

Ms. Richards said that they really didn't address the issue about commercial district and asked if they want to. She said that their signs are smaller but there is no maximum requirement in size for building and there is no number for a building in commercial district in the current by-law. Ms. Richards said that it would be a big change if they came up with something that was largely different than what is happening. After discussion everyone agreed that it should say per business.

Mr. Kingston said that he likes the changes and thanked the members from the Zoning Review Committee for their hard work and he thinks it is going to make it much more clearer to people. He said also made a suggestion to Ms. Macdonald that in the table of uses there is a special line for hospital, sanitariums, clinics. He said that they did run into a problem in the last 5 years on the definition of clinic because a clinic can mean anything from the Mayo Clinic down to a doctor's office. Mr. Kingston said that urgent care centers could be easily characterized as clinics and given that was lumped with hospitals and sanitariums he doesn't think that was the intent so he suggested adding in patient medical facilities because that is something doctors understand.

After further discussion Mr. Richards said that the Zoning Review Committee will make the changes that were discussed that evening and then come back to the Board for them to look at it.

Miscellaneous

Mr. Page said Mr. Hellyer mentioned to him and Ms. Macdonald received a copy on the Zoning Seminar. He said that it is something that he would like to go to but he knows there is no money in the budget so he will pay the \$10.00 himself. Mr. Page said that he wanted to make note that is how tight the Boards budget is and he thinks it is something important for Appropriations to understand.

Mr. Page said in everyone's packets there is a list of three for ANR statements and he would like them to take a look at them. He said the statement included on an ANR plan right now only deals with non-conformance by area and under an ANR they don't endorse any zoning violation. Mr. Page said all he is asking is that the Board states that on the plan that it's not just limited to area it's any zoning violation. He said that came right out of zoning hand book and he thinks it would be nice to change what's required to put on the plan. Mr. Page said that he would like to bring up in the next few meeting detention basins and he would like to see Mr. Peirent come in. Ms. Macdonald said that Dan Burack of the DPW Board has been really involved with the detention basins and the Board agreed to invite Mr. Peirent and Mr. Burack.

There being no further business and upon motion duly made by George Kingston and seconded by Ralph Page, the Board voted to close the meeting at 7:45 p.m.

For the Board,

Tyde Richards, Clerk